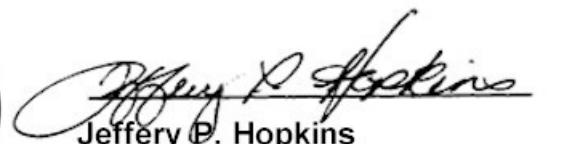


**This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.**

**IT IS SO ORDERED.**



**Dated: February 14, 2019**

  
Jeffery P. Hopkins  
United States Bankruptcy Judge

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**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT  
WESTERN DIVISION**

In Re: \* Case No.1:18-bk-14408  
\* Judge Jeffrey P. Hopkins  
Flipdaddy's, LLC \* Chapter 11 Proceeding  
\*  
\*  
\* Debtor \*

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**ORDER APPROVING MOTION OF THE DEBTOR TO REJECT  
(1) A LEASE AND GUARANTY AND (2) A PREFERRED  
DEVELOPER AGREEMENT EFFECTIVE AS OF  
THE PETITION DATE**

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This matter comes on before the Court upon the Motion of Flipdaddy's, LLC, (the "Debtor") for the Entry of an Order, pursuant to 11 U.S.C. §§ 105(a) and 365(a) (the "Bankruptcy Code"), and Federal Rule of the Bankruptcy Code 6006 (the "Bankruptcy Rules"), authorizing the Debtor to (1) Reject a certain Lease and Guaranty with FD Orange

Beach 859, LLC and (2) a Preferred Developer Agreement with Guggenheim Development Services, LLC with both such rejections to be effective as of the Petition Date. ("the Motion")

Notice having been duly given and there being no objection or response having been filed to the Motion, the Court would find that it (a) has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334, (b) this is a core proceeding pursuant to 28 U.S.C. § 157(b), (c) venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409 and that notice of the Motion is sufficient under the circumstances and that no other or further notice need be provided.

The Court would further find that the legal and factual basis set forth in the Motion establishes just cause for the relief granted herein and that the relief sought in the Motion is in the best interests of the Debtor, its estate and its creditors; and after due deliberation and sufficient cause appearing:

**IT IS HEREBY ORDERED THAT:**

1. The Motion is **GRANTED**.
2. It is **FURTHER ORDERED** that effective as of the date this case was commenced, the Debtor is authorized to reject the lease agreement and guaranty agreement with FD Orange Beach 859, LLC, a Delaware Limited Liability Company for certain property located at 22421 Perdido Beach Blvd., Orange Beach, Alabama and to also reject the Preferred Developer Agreement with Guggenheim Development Services, LLC.
3. **IT IS FURTHER, ORDERED, ADJUDGED AND DECREED** that, as of the date this case was commenced, the above executory contracts are deemed to

be rejected for purposes of 11 U.S.C. §§ 105(a) and 365(a), and Bankruptcy Rule 6006.

4. **IT IS FURTHER, ORDERED, ADJUDGED AND DECREED** that the Court shall retain jurisdiction with respect to all matters arising from or related to the implementation or interpretation of this Order.

Service List:

| **Notice was electronically served on the date of entry on the following recipients:**

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